

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHYENNA TORRES <i>Plaintiff,</i> v. MAVERICK CONCIERGE CORP., <i>Defendant.</i>	: : : : : : :	 CIVIL ACTION No. 25-cv-0551
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MEMORANDUM

KENNEY, J.

April 22, 2025

On January 31, 2025, Plaintiff Shyenna Torres brought this lawsuit against Defendant Maverick Concierge Corp, alleging violations of the Pregnancy Discrimination Act of 1978, 42 U.S.C. § 2000e(k), and Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* ECF No. 1 at 5–6. The complaint and a summons were served on Defendant on February 4, 2025. ECF No. 4 at 1.

It has now been 77 days since the complaint and summons were served, and Defendant has not appeared in this litigation or answered the complaint. *See* Fed. R. Civ. P. 12(a)(1)(A)(i) (giving a defendant 21 days after service to answer a complaint). Accordingly, upon request of Plaintiff, a default was entered against Defendant by the Clerk of the Court on March 4, 2025. ECF No. 7 at 1; *see* Fed. R. Civ. P. 55(a). Plaintiff now moves for entry of default judgment against Defendant. ECF No. 11 at 1. Plaintiff also requests a hearing to assess the amount of damages, including damages for pain and suffering, lost pay, and punitive damages. ECF No. 7 at 3–4.

Federal Rule of Civil Procedure 55(b) directs a party seeking a default judgment to “apply to the court” for that purpose when, like here, his or her complaint includes claims that are not “for a sum certain or a sum that can be made certain by computation.” *See* Fed. R. Civ. P. 55(b). In

granting a motion for a default judgment, the Court may conduct a hearing to “determine the amount of damages.” Fed. R. Civ. P. 55(b)(2)(B). Because Defendant has not answered the complaint or entered an appearance in the case, and well over 21 days have elapsed since Defendant was served with a summons and the complaint, this Court will grant Plaintiff’s motion for a default judgment. *See* Fed. R. Civ. P. 12(a)(1)(A)(i). The Court will hold a hearing on the amount of damages on **May 14, 2025 at 9:30 a.m.**, before the Honorable Chad F. Kenney in Courtroom 11B, 601 Market St., Philadelphia, PA 19106. An appropriate order will follow.

Plaintiff will serve this Opinion, the accompanying Order, and the date and purpose of the above hearing, on Defendant by **May 7, 2025**, at the following address: Mark Morcos, 1101 Ludlow St., Philadelphia, PA 19107.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE